



# Memorandum

**TO:** Honorable Mayor &  
City Council

**FROM:** Toni J. Taber, CMC  
City Clerk

**SUBJECT:** The Public Record  
April 18, 2014 – April 24, 2014

**DATE:** April 25, 2014

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**ITEMS FILED FOR THE PUBLIC RECORD**

- (a) Letter from David Wall to Mayor Reed and City Council dated April 24, 2014, regarding San José Fire Department saves my life. Early Easter Morning rescue adds to “resurrection saga!” An “eternal and immeasurable Thank-You!” is hereby tendered to the San José Fire Department.
- (b) E-mail from Andrew Makuch to Mayor Reed, City Council and Administrative Staff dated April 18, 2014, regarding the opposition of an electronic cigarette ban.

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Toni J. Taber, CMC  
City Clerk

TJT/kc

Honorable Mayor and City Council Members

April 25, 2014

Subject: The Public Record: April 18, 2014-April 24, 2014

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David S. Wall

PUBLIC RECORD a

RECEIVED  
San Jose City Clerk

2014 APR 24 (P) 1:01

AM  
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April 24, 2014

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: San José Fire Department saves my life. Early Easter Morning rescue adds to "resurrection saga!"**

An "eternal and immeasurable Thank-You!" is hereby tendered to the San José Fire Department;

**Engine Company 1C**

**San José Fire Captain: Sean Lovens**

**San José Fire Engineer: Elena Maskalik**

**San José Fire Fighter: Jeff Deam**

**San José Fire Fighter Paramedic: Thang Vo**

On Easter morning, (Sunday, 04.20.14) at approximately 0345 hours, I got out of bed to get a drink of water. As I stood up, and took one step, I immediately and uncontrollably fell to the floor. I could not move my limbs nor could I speak, yet I had mental clarity. I thought I was having a stroke. My wife, aroused at the seismic event of my fall (due to my tonnage) came to my aid. I still could not move my limbs or speak. At a short period thereafter, she summoned 911.

With extreme difficulty and with the aid of my wife we managed to get me upright and seated upright in a chair in our kitchen. Moments later, San José Fire Department's Engine Company 1C had arrived and began rendering life-saving assistance.

While being attended to by Fire Fighter Paramedic Thang Vo, Fire Captain Lovens was thoroughly making inquiries to my wife as to medical history, medications I was on and so forth.

Fire Fighter Paramedic Thang Vo readily ascertained my blood sugar was 39 mg/dL. I still could not talk. Hypoglycemia (low blood sugar), begins at 70 mg/dL. I had "life-threatening" low blood sugar.

I could have easily slipped into a diabetic coma if it were not for the prompt response of the aforementioned San José Fire Department personnel and proximity to San José Fire Station Number 1. (Fire Station No. 1 is listed in the "Long Range Property Management Plan" bought by the defunct Redevelopment Agency and is slated to be sold, if YOU have forgotten your really bad decisions on this matter.) If I were in District 6, I would probably be dead by now due to Council's idiotic interference with staffing levels on Engine Companies, staffing levels of the Fire Department as a whole, the shuttering of Engine companies and the "granddaddy of all moronic decisions"-the lies made to the public with reference to Measure B.

On Easter Sunday, Christians, like me, celebrate the resurrection from the dead; the Lord Jesus Christ, the only begotten Son of God. This Easter Sunday, God sent San José Fire Department Engine Company 1C to "resurrect" me from becoming "dead" – a variation of the salvation saga from a sinner's point of view.

Individual letters of eternal gratitude will be forth coming to the members of San José Fire Department's Engine Company 1C. Again, an "eternal and immeasurable Thank-You!" is humbly tendered.

By the way, my voice has returned with exuberance to resurrect pay and benefits for S.J. Fire.

Cc: Chief San José Fire Department / City Attorney / City Auditor / City Manager

*Respectfully submitted,*

*David S. Wall*  
04.24.14

**Carrillo, Kathy**

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**From:** City Clerk  
**Sent:** Monday, April 21, 2014 8:04 AM  
**To:** Rules and Open Government Committee Agendas  
**Subject:** FW: Please do not ban e-cigarette usage where smoking is prohibited.

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**From:** Andrew Makuch [<mailto:andrewmakuch16@msn.com>]  
**Sent:** Friday, April 18, 2014 8:59 PM  
**To:** The Office of Mayor Chuck Reed; District7; Oliverio, Pierluigi; District1; Herrera, Rose; Webmaster Manager; City Clerk  
**Subject:** Please do not ban e-cigarette usage where smoking is prohibited.

Dear San Jose Mayor and city managers,

I am a San Jose area resident temporarily living in Arizona but will be returning to Palo Alto this summer.

While I support bans on sales to minors, I **oppose** banning e-cigarette use where smoking is prohibited.

Switching to e-cigarettes has changed my life for the better.

Smoking bans are ostensibly enacted to protect the public from the harm of secondhand smoke, but e-cigarettes have not been found to pose a risk to bystanders. In fact, all evidence to date shows that the low health risks associated with e-cigarettes are comparable to other smokeless nicotine products.

The low risks of e-cigarettes is supported by research done by Dr. Siegel of Boston University, Dr. Eissenberg of Virginia Commonwealth, Dr Maciej L Goniewicz of the Roswell Park Cancer Institute, Dr. Laugesen of Health New Zealand, Dr. Igor Burstyn of Drexel University, and by the fact that the FDA testing, in spite of its press statement, failed to find harmful levels of carcinogens or toxic levels of any chemical in the vapor.

A comprehensive review conducted by Dr. Igor Burstyn of Drexel University School of Public Health based on over 9,000 observations of e-cigarette liquid and vapor found "no apparent concern" for bystanders exposed to e-cigarette vapor, even under "worst case" assumptions about exposure.

Electronic cigarette use is easy to distinguish from actual smoking. Although some e-cigarettes resemble real cigarettes, many do not. It is easy to tell when someone lights a cigarette from the smell of smoke. E-cigarette vapor is practically odorless, and generally any detectable odor is not unpleasant and smells nothing like smoke. Additionally, e-cigarette users can decide whether to release any vapor ("discreet vaping"). With so little evidence of use, enforcing use bans on electronic cigarettes would be nearly impossible.

The ability to use electronic cigarettes in public spaces will actually improve public health by inspiring other smokers to switch and reduce their health risks by an estimated 99%.

Please visit the [CASAA.org](http://CASAA.org) website, as well as the [CASAA Research Library](#), for more information.

Sincerely,

Andrew Makuch